

**Harford County**  
**2005/2006**  
**Comprehensive Zoning**  
**Review**

**Director's Report**

# **DIRECTOR'S REPORT**

## **2005/2006 Comprehensive Zoning Review**

### **Table of Contents**

#### **Part 1**

Introduction  
Policy Guidelines for the 2005 Comprehensive Zoning Review  
The Comprehensive Zoning Review Process

Attachment 1: Planning Advisory Board memo

#### **Part 2**

Comprehensive Zoning Log

#### **Part 3**

2005 Comprehensive Zoning Review Issue Map Book

#### **Part 4**

Assessment Reports  
Appendix to Assessment Reports  
    Public comments  
    Public meeting summaries  
    Planning Advisory Board meeting summaries  
    Municipality comments  
    Chesapeake Bay Critical Area comments  
    Historic Preservation Commission comments  
    Environmental Advisory Board comments  
    Agriculture Preservation Advisory Board comments

## **DIRECTOR'S REPORT**

### **Introduction**

In October, 2004, the County Council adopted Bill 04- 40, an emergency act to initiate the comprehensive zoning review as permitted under the Harford County Code. In December, 2004 the Department of Planning and Zoning began the process of the comprehensive zoning review. This comprehensive zoning review is consistent with the goals of Harford County regarding land use, growth management and economic development.

Zoning is the primary tool for implementing the County's Land Use Element Plan. Harford County has been utilizing the concept of a Development Envelope as a growth management tool since the 1977 Harford County Master Plan. The concept of designated growth areas continue to serve as a focus for residential and non residential growth in the County.

In general, the Department of Planning and Zoning took a reasonable and conservative approach in the review of the requested changes in zoning. Of the 3,789.80 acres requesting a zoning change, only 1,261.80 acres received any recommended change. This includes properties where a recommendation was made for a modified zoning to a less intense category. These revisions are the result of a careful and extensive review process. The policies which guided this process are described in this Report along with the technical analysis and public participation process.

The Charter of Harford County establishes the Planning Advisory Board as a group of five citizens who make recommendations to the Department of Planning and Zoning and the County Council regarding master plans, zoning issues and the capital budget. The recommendations and comments of the Planning Advisory Board are included on the Comprehensive Zoning Log and in Attachment 1.

### **Policy Guidelines for the 2005 Comprehensive Zoning Review**

A review of the current zoning of all properties in Harford County was conducted as an implementation of the adopted goals, policies and programs outlined in the 2004 Master Plan and Land Use Element Plan. The link between the Land Use Element Plan and the zoning maps is of vital importance to this review and revision of the zoning maps. The Land Use Element Plan is the generalized policy statement governing land use in the County. The Zoning Code and maps are the regulatory mechanism applied to individual properties. In order for this zoning law to be defensible, it must have a reasonable relationship to the provision for public health, safety and general welfare. The Land Use Element Plan establishes that relationship and should be held as the primary criterion in evaluating potential changes. This Plan consists of written goals, objectives and recommendations as well as the Land Use Map.

One of the land use policy considerations during this Comprehensive Zoning Review was the amount of requests and acreage for B3 General Business. There were 76 requests totaling 432.23 acres of B3 zoning requested. During the 2004 Master Plan and Land Use Element plan process the Department completed an analysis of supportable retail space throughout the County. Based on this analysis it was determined the County's inventory of commercial land was more than sufficient. This analysis clearly indicated that adequate commercially zoned land exists within most areas of the County and large expansions of this area are not warranted. After reviewing all the requests, the Department recommended only 15.89 additional acres of B3 zoning which were already zoned commercial or industrial.

In general, no new nodes of commercial development were identified during the Land Use Element Plan preparation. Expansion of existing commercial and service centers such as Neighborhood, Community Centers and Rural Villages, were required to be consistent with the designation on the Land Use Map. Such expansions should not promote extensions of strip commercial along major corridors or intensification of land use activities which are not consistent with the area.

Another land use policy consideration was the relationship between requests and recommendations for zoning changes in the Agriculture and Rural Village areas of the County. There were 1473.78 acres of RR zoning requested with nearly three quarters of the acreage outside the designated Rural Residential area identified on the Land Use Map. The Department only recommended 249 acres of Rural Residential zoning in the respective designation.

There were numerous requests for commercial zoning classifications in and around the Rural Villages. The Department took into consideration the location and appropriateness of each request as it related to the concepts established for the Rural Villages. A large portion of the VB zoning classification recommended by the Department was a change from an Industrial zoning classification in Whiteford.

Finally, the Department recognized the need for a Mixed Office zoning classification for the MO designation on the Land Use Plan. However, at the time of the Departments recommendation there was not an adopted version of the MO zoning classification. The Department has recommended no change to this area, however consideration should be given for the requests that qualify for the newly adopted MO zoning classification.

## **The Comprehensive Review Process**

### Application process

The Department initiated the comprehensive zoning review process by the establishment of an application procedure for property owners, or legal representatives, to request a change in zoning on individual properties. The application process began on December 1, 2004 and continued to January 31, 2005. During this time period, individuals were asked to fill out an application detailing certain information concerning their requests; property location, existing zoning classification of the property, requested zoning, acreage of the

property and the acreage requesting a zoning change. In instances where other individuals acted on behalf of the property owner, a letter of authorization, signed by the property owner or managing member, was required.

At the end of the application period, the Department received 342 requests for zoning changes. Each application was organized by County Council District and assigned an issue number.

#### Technical Assessment

Technical assessments were prepared for each of the applications. Background information was gathered by staff planners regarding land use and zoning on the site and the adjacent properties. To assist the Department, technical information was also provided by staff of other County and State agencies, including the Department of Public Works, Health Department and Parks and Recreation. Of primary importance was the consistency between the requested zoning and the 2004 Land Use Element Plan. The Land Use Element Plan was reviewed for each request to identify the specific designation of the site on the Land Use Map and other applicable policy provisions including the Plan for the Area.

In addition, each request was reviewed for consistency with the goals, policies and objectives of the Transportation Element Plan, Water and Sewerage Master Plan, the Chesapeake Bay Critical Area Program and the Land Preservation, Parks and Recreation Plan. These assessments further included a review of the public infrastructure capacity to accommodate the development of the property in accordance with the requested zoning. Specific issues were identified regarding the road network to handle increased traffic, the availability and potential constraints on the provision of water and sewerage services and the potential impact to school facilities. Programmed improvements to these facilities were identified as part of the analysis.

Environmental features on each site were reviewed based on the best available information, such as topography, soils, National Nontidal Wetland Maps, Water Source Assessment areas, resource maps for the Chesapeake Bay Critical Area and Sensitive Species Project Review Areas. The Health Department reviewed each site for septic limitations and other notable conditions such as leaking underground storage tanks (LUST).

Sites and their environs were also reviewed for their proximity to identified historical sites, agriculture preservation districts and easements and County and State Parks. The zoning history was reviewed for each site. In addition, any Board of Appeals cases were identified and subdivision plans to date were identified.

#### Public Comments and Advisory Groups

The overall review of the requested zoning changes and the zoning patterns throughout the County included both the technical review and input from citizens and advisory groups.

During the months of August and September 2005, the Department of Planning and Zoning and the Planning Advisory Board jointly held four meetings for public comment. These meetings were held at Aberdeen High School, Bel Air High School, Joppatowne High School and North Harford Middle School. The Department also provided opportunities for written comments at the public meetings as well as through the internet on the Planning and Zoning web page.

To ensure adequate notice to the citizens of Harford County, the Department of Planning and Zoning provided press releases to the news media, advertised in the local papers, placed notices on the County website and posted each property with an individual sign identifying the existing and requested zoning, and the time, place and dates of the four public meetings. At the meetings, maps and detailed information were available along with staff to respond to individual questions. The formal meeting consisted of introductory remarks by the Acting Director of Planning and Zoning and an invitation for citizens to offer comments on specific zoning requests. A total of 171 citizens spoke at the four meetings. Over 1,700 written comments were received on comment forms, letters, emails and petitions.

Requests for zoning changes within the Critical Area were forwarded to staff of the Critical Area Commission for comments per the requirements of the Critical Area law. The Harford County Chesapeake Bay Critical Area Program is designed to manage land use within 1,000 feet of tidal waters and tidal wetlands. Its goal is to protect water quality and natural habitat and to accommodate future growth in an environmentally sound manner. Oversight of the local program is provided by the Statewide Critical Area Commission.

Requests for zoning changes which lie within or adjacent to identified districts and individual historic sites were reviewed by the Harford County Historical Preservation Commission.

The Department of Planning and Zoning identified issues which included significant areas of sensitive environmental features and requested comments from the Environmental Advisory Board.

The Agriculture Preservation Advisory Board reviewed requests on, or adjacent to, preserved properties as well as providing general comments.

#### Department of Planning and Zoning Recommendations

The Department utilized a number of staff resources to complete its analysis. This included research regarding development proposals and zoning history along with field visits. Staff coordinated comments from outside agencies to obtain up to date information on the properties. Staff formulated the recommendations based on policy documentation, existing conditions and infrastructure assessments.

While the review included all properties in the County, staff limited the number of additional properties to be raised as Departmental issues. Properties identified as

Departmental issues were selected based on the need to provide a consistent zoning pattern or on their compatibility with surrounding uses. Listed in Table 1 is a comprehensive review of the total number of requests compared to Departmental recommendations. These are sorted by zoning classification. A total of 324 requests totaling 3789.80 acres were received. Of these the Department of Planning and Zoning recommended a change to 117 issues totaling 1261.80 acres. In addition Table 1 identifies a total of 31 Planning and Zoning issues involving 52 acres that were added to the log. Of these, nine issues (6.06 acres) were existing residential lots and were recommended for a R1 zoning classification. An additional seven issues (25.5 acres) eliminated split zoning on the existing HEAT Center property and established a consistent zoning district adjacent to this site.

TABLE 1

Zoning	Request by Owner (# of Issues)	Requested by Owner (Acres)	Recommended by P&Z (# of Issues)	Recommended by P&Z (Acres)	# of P&Z Issues	Additional Acreage on P&Z Issues	Total Recommended by P&Z (Acres)
AG	1	80.00	1	80.00	2	1.50	81.50
B1	13	14.21	4	2.99	3	1.46	4.45
B2	43	103.91	7	6.17	0	0.00	6.17
B3	76	432.23	4	15.89	0	0.00	15.89
CI	55	180.41	39	114.59	7	13.07	127.66
GI	6	18.37	0	0.00	0	0.00	0.00
LI	1	22.84	2	25.28	7	25.50	50.78
R1	25	739.98	24	418.53	9	6.06	424.59
R2	20	360.54	3	86.33	0	0.00	86.33
R3	11	280.70	5	152.47	0	0.00	152.47
R4	0	0.00	1	0.55	0	0.00	0.55
RO	10	16.79	0	0.00	0	0.00	0.00
RR	48	1473.78	16	249.28	2	2.72	252.00
VB	14	46.51	9	89.44	1	2.55	91.99
VR	1	19.54	2	20.27	0	0.00	20.27
<b>Totals</b>	<b>324</b>	<b>3789.80</b>	<b>117</b>	<b>1261.80</b>	<b>31</b>	<b>52.85</b>	<b>1314.65</b>

The final piece of the Comprehensive Zoning Review is a set of revised zoning maps. These will be forwarded to the County Council with the proposed legislation.

#### Planning Advisory Board Review

The PAB members attended the four public meetings in August and September to hear from interested citizens. The members also received written comments from community members, property owners and other Advisory Boards. The Planning Advisory Board

(PAB) reviewed the issues, all comments and the Department's recommendations during the month of September, 2005.

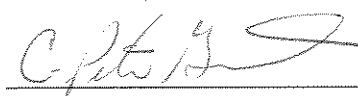
The Board reviewed the Department's recommendation on each issue, including the new properties identified by Planning and Zoning. The PAB made a recommendation on each issue and the issues identified by the Department of Planning and Zoning. Their recommendations are set forth in the Comprehensive Zoning Log and an accompanied memo to the Council President and Council members in Attachment 1.

The Department of Planning and Zoning has completed the process of reviewing comprehensively every property's zoning classification as required under the County Code. We are available to assist the Council in any manner to understand and answer questions concerning our recommendations.

Respectfully submitted,



Anthony S. McClune  
Acting Director of Planning and Zoning



C. Pete Gutwald  
Chief of Comprehensive Planning



# **Attachment 1**

DAVID R. CRAIG  
HARFORD COUNTY EXECUTIVE

LORRAINE COSTELLO  
DIRECTOR OF ADMINISTRATION



ANTHONY S. McCLUNE  
ACTING DIRECTOR OF PLANNING & ZONING

## HARFORD COUNTY GOVERNMENT

### Department of Planning and Zoning

#### PLANNING ADVISORY BOARD

October 12, 2005

#### MEMORANDUM

**TO:** The Honorable Robert Wagner, President, Harford County Council  
The Honorable Dion Guthrie, Councilman, District A  
The Honorable Veronica Chenowith, Councilwoman, District B  
The Honorable Robert Cassilly, Councilman, District C  
The Honorable Lance Miller, Councilman, District D  
The Honorable Richard Slutzky, Councilman, District E  
The Honorable Cecelia Stepp, Councilwoman, District F

**FROM:** Charles R. Harrison, Chairman *Charles R. Harrison*  
Planning Advisory Board

**RE:** 2005 Comprehensive Zoning Review

The Planning Advisory Board has reviewed all of the zoning issues which were requested by property owners, as well as those raised by the Planning and Zoning staff during the current Comprehensive Zoning Process. In considering these requests, the Board weighed input from all available sources, including the testimony and comments from the County's citizens. The Board concurred with most of the Department's recommendations on the rezoning requests. However, there were areas where the Board's recommendations differ. Board members identified some locations with existing commercial zoning or uses and expressed recognition of these uses by supporting the zoning request. In some instances, these requests allowed for continued use of existing conditions or provided flexibility in the current commercial zoning on the property. We feel our recommended zoning changes are consistent with the 2004 Master Plan and Land Use Element Plan adopted by the Harford County Council.

*Preserving Harford's past; promoting Harford's future* (410) 638-3103

MY DIRECT PHONE NUMBER IS

220 SOUTH MAIN STREET BEL AIR, MARYLAND 21014 410.638.3000 • 410.879.2000 • TTY 410.638.3086 • [www.harfordcountymd.gov](http://www.harfordcountymd.gov)

THIS DOCUMENT IS AVAILABLE IN ALTERNATIVE FORMAT UPON REQUEST.

There were several issues where the Board identified a concern with the traffic conditions in the surrounding area. Although Board members concurred with the Department's recommendation, there was an expressed interest for the need to provide adequate infrastructure improvements to handle the increased traffic associated with the zoning request.

There were a number of requests outside the Development Envelope that were inconsistent with the Rural Residential designation on the Land Use Plan. The Board also identified and expressed concerns with properties that had previously utilized their agriculture density (development rights) and were requesting rezoning on the remaining land. The Board summarily rejected those requests as being inconsistent with the Agricultural or Rural Residential designation on the Land Use Plan.

The Board recognized that the Department of Planning and Zoning's supplemental issues were a product of completing the Comprehensive Zoning review and correcting deficiencies in the current zoning designations. The issues raised by the Department were established to create a consistent zoning pattern across the County. The Board is in full support of the Department's recommendations on these issues.

Finally, we would like to acknowledge and thank the staff of the Department of Planning and Zoning for their hard work and commitment in providing the Board with the necessary resources to properly evaluate each of these rezoning requests. Their knowledge of the issues and professional approach to managing the large number of cases we had to review were instrumental to our ability to fairly evaluate each one.

Should any of the Council members have any questions or desire further discussions regarding the Board's recommendations on any of the rezoning requests, please do not hesitate to contact us.

CRH/dl

CC: The Honorable David R. Craig, Harford County Executive  
Anthony S. McClune, Acting Director of Planning and Zoning  
C. Pete Gutwald, Chief of Comprehensive Planning